

**DEPARTMENT OF EDUCATION  
SPECIAL EDUCATION PROGRAMS  
Gayville-Volin School District  
Accountability Review - Focus Monitoring Report 2007-2008**

**Team Members:** Linda Shirley, Rhonda Zinter and Deb Zebill, Educational Specialists.

**Dates of On Site Visit:** March 19, 2008

**Date of Report:** April 17, 2008

3 month update due: July 17, 2008

3 month received:

6 month update due: October 17, 2008

4 month received:

9 month update due: January 17, 2009

9 month received:

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**Program monitoring and evaluation.**

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Office of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

(1) That the requirements of this article are carried out;

(2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Indian children operated or funded by the Secretary of the Interior:

(a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and

(b) Meets the educational standards of the state education agency, including the requirements of this article; and

(3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

**State monitoring--Quantifiable indicators and priority areas.**

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

(1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;

(2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and

(3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)

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**State enforcement -- Determinations.**

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Office of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference- ARSD 24:05:20:23.04.)

### Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARAD 24:05:20:20.)

## 1. FAPE in the LRE – Performance Indicator

**State Performance Plan - Indicator 3:** Participation and performance of children with disabilities on statewide assessments.

1. Percent of districts meeting State's AYP objectives for progress for disability subgroup.
2. Participation rate for children with IEPs in a regular assessment with not accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.
3. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.

**Annual Performance Report Activity** – Conduct an accommodation study to verify IEP teams are providing instructional accommodations if they are also providing those accommodation on statewide assessments.

### Finding:

Through a review of 9 student files, data gathered by the review team indicated the following:

1. The accommodations/modifications were appropriate for the skill areas affected by the disability in 7 of the 9 files reviewed.
2. The accommodations/modification provided for State/District wide assessments were provided in the student's instructional program in 8 of the 9 files reviewed.
3. The accommodations identified in the IEPs for State/District wide assessment were used during the assessment administration in 8 of 9 files reviewed.

<b>Corrective Action:</b> Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	<b>Timeline for Completion</b>	<b>Person(s) Responsible</b>	<b>(SEP Use Only) Date Met</b>
<p><b>Activity/Procedure:</b></p> <ol style="list-style-type: none"> <li>1. The district will review current policy/procedure to determine why discrepancies are occurring.</li> <li>2. Develop a process that will allow for the appropriate documentation and provision of accommodations for state/district assessments.</li> <li>3. Train IEP staff and testing coordinator in the procedures/process.</li> <li>4. Implement procedures and collect data to verify</li> </ol>	<p>Activity # 1&amp;2 Within 1 week of receiving report</p> <p>Activity #3 By May 15, 2008</p>	<p>District Administration &amp; District Staff</p>	

<p>accommodation are appropriately documented and provided during state/district assessments.</p> <p>5. Analyze data collected to determine if procedures corrected discrepancy. Repeat steps 1 through 5 if discrepancies continue.</p> <p><b>Progress Report data to be submitted to SEP:</b></p> <ol style="list-style-type: none"> <li>1. Written description of the districts review process to identify why the discrepancies are occurring.</li> <li>2. Written description of the process the district will implement to correct the discrepancies.</li> <li>3. Training documentation to include the date staff training occurred, name of individual who provided the training and sign-in sheet with the name of all participants/position titles, who attended the training.</li> <li>4. Following the 2008 assessment window, the district will review 3 student IEPs from each grade level taking the Dakota Step. The district will document accommodation information for each of the student files reviewed. A summary of the data results will be submitted to SEP.</li> </ol>	<p>Activity #4 By 6 month progress report due date.</p> <p>Activity #5 By 6 month progress report due date.</p>		
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**3 month Progress Report:**

**6 month Progress Report:**

**9 month Progress Report:**

## **2. GENERAL SUPERVISION**

**Present levels: (Statement of present levels of performance that resulted in area of non-compliance from report of 11-3-07)**

**ARSD 24:05:25:04.02 Determination of needed evaluation data.** As part of an initial evaluation, if appropriate, the individual education program team required by § 24:05:27:01.01 and other individuals with knowledge and skills necessary to interpret evaluation data, determine whether the child has a disability, and determine whether the child needs special education and related services, as appropriate, shall:

(1) Review existing evaluation data on the child, including:

(a) Evaluations and information provided by the parents of the child;

Through file reviews the monitoring team identified that the Gayville-Volin School District has not consistently documented parental input into the evaluation planning process.

**Finding:**

Through a review of student records the team identified 8 students that did not have parent input into the evaluation process.

<b>Corrective Action:</b> Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	<b>Timeline for Completion</b>	<b>Person(s) Responsible</b>	<b>(SEP Use Only) Date Met</b>
<b>Activity/Procedure:</b> The district will ensure that all parents have an opportunity to have input into the evaluation process for each student and the information is documented. <b>Data Collection:</b> A copy of 1 new evaluation or reevaluation from each special education teacher will be sent to the SEP to verify parent input into the evaluation process.	April 08 and ongoing	District	

**3 month Progress Report:**

**6 month Progress Report:**

**9 month Progress Report:**

### **3. GENERAL SUPERVISION**

#### **24:05:22:03. Certified child.**

A certified child is a child in need of special education or special education and related services who has received a multidisciplinary evaluation and has an Individual Education Program formulated and approved by a local placement committee. Documentation supporting a child's disabling condition as defined by Part B of the Individuals with Disabilities Education Act must be maintained by the school district for verification of its annual federal child count. This definition applies to all eligible children ages 3 to 21, inclusive, and to only those children under the age of 3 who are in need of prolonged assistance.

**Finding:**

Student 1 is reported as a student with Other Health Impaired. The student's file showed no educational impact for this student. The goals were "will complete all of assignments on time and not receive homework room for 5 consecutive days." "Will write down 100% of assignments given in class immediately after they are given in five out of five trials." There is no direct instruction given to this student.

Student 2 is reported as a student with Emotional Disturbance in 2-08. In Dec. 07 was reported as a student with multiple disabilities. There was no record of any functional or other evaluations to determine change in eligibility.

<b>Corrective Action:</b> Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	<b>Timeline for Completion</b>	<b>Person(s) Responsible</b>	<b>(SEP Use Only) Date Met</b>
<b>Activity/Procedure:</b> The IEP team will meet on student 1 and look at the criteria for eligibility and decide the educational needs of this student. <b>Data Collection:</b> The district will submit a copy of the meeting and the results.	May 08	District	

**3 month Progress Report:**

**6 month Progress Report:**

**9 month Progress Report:**

<b>Corrective Action:</b> Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	<b>Timeline for Completion</b>	<b>Person(s) Responsible</b>	<b>(SEP Use Only) Date Met</b>
<b>Activity/Procedure:</b> The IEP team will meet on student 2 and gather information for reevaluation of the student. <b>Data Collection:</b> The district will submit a copy of the student's reevaluation and copy of the MDT and new IEP.	May 08	District	

**3 month Progress Report:**

**6 month Progress Report:**

**9 month Progress Report:**

#### **4. GENERAL SUPERVISION**

##### **ARSD 24:05:27:01.03 Content of individualized education program (IEP)**

##### **Present level of academic achievement and functional performance and annual goals**

A student's IEP must contain present levels of academic achievement and functional performance based upon the skill areas affected by the student's identified disability. The present levels of academic achievement and functional performance are based upon the functional assessment information gathered during the comprehensive evaluation process.

(2) A statement of measurable annual goals, including academic and functional goals, designed to:

(a) Meet the student's needs that result from the student's disability to enable the student to be involved in and progress in the general education curriculum; and

(b) Meet each of the student's other educational needs that result from the student's disability;

For students with disabilities who take alternate assessments aligned to alternate achievement standards, each student's IEP shall provide a description of benchmarks or short-term objectives;

(3) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided for the student:

(a) To advance appropriately toward attaining the annual goals;

**Findings:** The monitoring team found student files lacked the required content in the present levels of academic achievement and functional performance (PLAAFPs) (i.e. specific skill area(s) affected by the student's disability, to include strengths and needs, along with how the disability affects the student's involvement in the general curriculum and parent input). In four files the PLAAFPs did not address the diagnosed disability. A reading disability was diagnosed and it was not addressed in the PLAAFPs. Related services are not addressed in the PLAAFPs for students with occupational therapy and physical therapy concerns. There are no goals for students receiving OT and PT services. One student taking the alternate assessments did not have short term objectives.

<b>Corrective Action:</b> Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	<b>Timeline for Completion</b>	<b>Person(s) Responsible</b>	(SEP Use Only) Date Met
<b>Activity/Procedure:</b> The district will review all files to ensure the required content is included, including present levels of performance. <b>Data Collection:</b> A copy of two IEPs from each special education teacher will be sent to the SEP for verification of content. One file from each teacher will have related services addressed for either OT or PT.	May 08 and ongoing	District	

**3 month Progress Report:**

**6 month Progress Report:**

**9 month Progress Report:**

## **5. GENERAL SUPERVISION**

### **ARSD 24:05:27:01.03 Content of individualized education program (IEP)**

#### **ARSD 24:05:27:01.02 Development, review and revision of the IEP- Consideration of Special Factors**

In developing, reviewing, and revising each student's IEP, the team shall consider the strengths of the students and the concerns of the parents for enhancing the education of their student, the results of the initial or most recent evaluation of the students as appropriate, and the results of the student's performance on any general state or district-wide assessment program. The individualized education program team also shall: In the case of a student whose behavior impedes his or her learning or that of others, consider, if appropriate, strategies, including positive behavioral interventions, and supports, to address the behavior.

#### **Finding:**

Through a review of student records, 2 students had behavioral assessments and/or present levels of academic achievement and functional performance containing information regarding the impact of student behavior on educational performance. In developing the IEP the team did not check behavior impedes learning and did not address strategies to assist the student.

<b>Corrective Action:</b> Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	<b>Timeline for Completion</b>	<b>Person(s) Responsible</b>	(SEP Use Only) Date Met
<b>Activity/Procedure:</b> The district will check all students IEPs to verify the consideration of special factors has been addressed for all students with needs. <b>Data Collection:</b> A copy of 2 IEPs will be submitted to SEP for students with behavior concerns to ensure proper content.	May 08 and ongoing	District	

**3 month Progress Report**

**6 month Progress Report:**

**9 month Progress Report:**

## **6. GENERAL SUPERVISION ARSD 24:05:29:05. Record of access.**

Each school district shall keep a record of parties obtaining access to education records collected, maintained, or used under this chapter, except access by parents and authorized employees of the district, including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records. A parent or eligible student may inspect this record on request.

**Findings:** The team did not find record of access in 9 files.

<b>Corrective Action:</b> Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	<b>Timeline for Completion</b>	<b>Person(s) Responsible</b>	(SEP Use Only) Date Met
<b>Activity/Procedure:</b> The district will ensure all students on IEPs have a record of access in each file. <b>Data Collection:</b> The district will report the number of students on IEPs and the number that have a record of access in their files.	May 08	District	